

REMARKS/ARGUMENTS

In light of the above amendments and remarks to follow, reconsideration and allowance of this application are respectfully requested.

Claims 1-4, 18-21, and 40-43 are pending in this application.

Claims 1-4, 18-21, and 40-43 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Ginter et al. (U.S. Patent No. 5,892,900) in view of Kagle (U.S. Patent No. 6,778,760) and Garfinkle (U.S. Patent No. 6,017,157).

The present claims now recite "a server for receiving and storing said audio data and photographic digital image data with said handling condition in said digital data format via the Internet into the server." (Claim 1; Claim 18 contains similar limitations) Moreover, "said server displays a program table to select and store the audio data and photographic digital image data with said handling condition from the server into a portable player so as to enable said thumbnail image and said audio data to be simultaneously played thereon." (Claim 1; Claim 18 contains similar limitations)

Applicants respectfully assert that Ginter, Kagle, and Garfinkle do not disclose an analogous server which displays a program table to select and store the audio data and photographic digital image data into a portable player so as to enable the thumbnail image and the audio data to be played simultaneously thereon; as required in the present claims. Accordingly, for at least this reason, Ginter, Kagle, and Garfinkle fail to obviate the present invention and the rejected claims should now be allowed.

As it is believed that all of the rejections set forth in the Official Action have been fully met, favorable reconsideration and allowance are earnestly solicited.

If, however, for any reason the Examiner does not believe that such action can be taken at this time, it is respectfully requested that he/she telephone applicant's attorney at (908) 654-5000 in order to overcome any additional objections which he might have.

If there are any additional charges in connection with this requested amendment, the Examiner is authorized to charge Deposit Account No. 12-1095.

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Respectfully submitted,

By 

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